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7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT TACOMA

10 MICHAEL MORALES,  
11                   Petitioner,  
12                   v.  
13 DAN PACHOLKE,  
14                   Respondent.

Case No. C07-5696FDB-KLS  
ORDER DENYING  
APPLICATION TO PROCEED *IN FORMA PAUPERIS*

16         The Court, having reviewed the Report and Recommendation, petitioner's application to proceed  
17 *in forma pauperis* and the remaining record, hereby finds and ORDERS:

- 18         (1)      the Magistrate Judge's report and recommendation is approved and adopted;  
19         (2)      petitioner's application to proceed *in forma pauperis* is DENIED;  
20         (3)      petitioner shall pay the required filing fee (\$5.00) to the Clerk of the Court within 30 days of  
21                   the date of this Order, otherwise this action will be dismissed; and  
22         (4)      the Clerk is directed to send copies of this Order to petitioner and any other party that has  
23                   appeared in this action.

24         DATED this 14<sup>th</sup> day of March 2008.

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26                   FRANKLIN D. BURGESS  
27                   UNITED STATES DISTRICT JUDGE  
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